



PATENT  
Customer No. 22,852  
Attorney Docket No. 07738.0147

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Grant E. DUBOIS et al.	)	Group Art Unit: 1761
Application No.: 09/838,809	)	Examiner: C. Paden
Filed: April 20, 2001	)	Confirmation No.: 3526
For: NON CALORIC FROZEN	)	
CARBONATED BEVERAGE	)	

Commissioner for Patents  
P.O. Box 1450  
Washington, DC 20231

Sir:

**AMENDMENT**

In response to the non-final Office Action dated August 3, 2005, the period for response having been extended by the petition and fee filed herewith, please amend the above-identified application, without prejudice, as follows:

**Amendments to the Claims** are reflected in the listing of claims in this paper.

**Remarks** follow the amendment section of this paper.